conviction is that the necessity has not actually occurred to enact the provisions contemplated by the Bill. I have carefully thought over the condition of the indigenous people of Travancore, and, being in a measure closely acquainted with the public pulse, I beg to entertain a certainty of feeling as to the unlikelihood of any strained relation occurring between the people and the constituted authorities, which would drive Government to quarter upon any locality or portion of the community a special police. The situation elsewhere has no analogy to Travancore, and, if I thought otherwise, I would have been the first person to recognise the soundness of the principle under consideration. I regret very much that I am unable to accede to the motion now before the Council.

Mr. Udaya Varma Raja.—Sir, the public extremely regret to find that a single unfortunate occurrence like the recent disturbance in Trivandrum should be made the occasion for introducing into the Council a punitive enactment as the one under consideration. Whether the people of the Town are really responsible for the breach of the peace is a matter which has yet to be known. But I may inform you, Sir, that the people of Travancore are loyal and law-abiding. They are too timid to dare deliberate rioting. Moderation characterises their thoughts, words and deeds.

I beg your pardon, Sir, to observe that the principle of the Bill under discussion does not appear to be commendable. It is, I am sorry to say, opposed to the policy of the progressive administration of Travancore. That the poor inhabitants should bear the cost of quartering an additional police force on a disturbed area is an objectionable arrangement. Let those that want the police force pay for it. If no body comes forward, the safest method would be, I think, to tax those that broke the peace. There is neither necessity nor justification for such a piece of legislation at present.

President.—I would only say two or three words on behalf of Government. When we instructed Mr. Sankara Menon to introduce this Bill, we did so after very anxious consideration. I would at once say that it is not due to any apprehension on our part in regard to the loyalty or law-abiding nature of the people, for my experience has been that they are one of the most reasonable people that I have had to deal with, and I do not think that the people of any other country can compare favourably with them, either in point of intelligence or moderation. At the same time, I would point out that, even in the interests of the maintenance of this state of affairs, it is as well that people should know that, when things go beyond a certain stage, there are certain penalties which are bound to come. It is more for that that the provision is intended. Also, I would point out that what we are now concerned is not so much about the actual imposition of the punitive police, but whether Government should have the power to do so or not, should they consider it necessary at any time. When there is a power, there is of course just the contingency that the power may once in a way not be used properly. But ordinarily it has to be assumed that it will be used properly. For these reasons I have to say that we adhere to the resolution.

The motion was put to the vote and carried by a majority, Messrs. Vieyra, Ananda Row, Sankara Menon, Sankara Pillai and Kuruvila voting for the motion and Messrs. Udaya Varma Raja, Subramania Iyer and Sri Narayanan Tampi voting against it.

The Council having affirmed the principle of the Bill, Mr. Sankara Menon proposed that it be referred to a Select Committee, consisting of Messrs. Vierya, Kuruvila and the Mover, to report within one month.

The motion was put and agreed to.

THE AGRICULTURAL IMPROVEMENT LOANS REGULATION AMENDMENT BILL.

Mr. Vieyra.—Sir, permission was given to me at the last meeting of the Council to introduce this Bill. I need not say much more than what I did say at that meeting. The Regulation has been in force for more than 16 years and it has been practically inoperative. To make it more useful, it is proposed to make it

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applicable to garden and dry as well as to wet lands and the Bill is just an addition of the words "garden and dry" and consists of one Section.

Mr. Subramania Iyer.—I second it.

Mr. Udaya Varma Raja.—I approve of the principle. I would, however, invite attention to the Proceedings of Government on the subject, wherein the main causes are mentioned; but Government seem to have taken steps in respect of only one of them, namely, the extension of the Regulation to garden and dry lands. This is not the only reason why the Regulation has not been availed of by the people. The chief reason is on account of the cumbrousness of the procedure in connection with the enquiries. It is certainly desirable that some enquiry should be held, but the mode prescribed by the rules is not sympathetic.

Mr. Vieyra.—These objections were all considered duly. The Government officers have to go through a certain procedure and some safeguards are necessary.

President.—These details may be considered in the Select Committee and it would be well to put Mr. Udaya Varma Raja on the Committee.

The Council having affirmed the principle of the Bill, Mr. Vieyra proposed that it be referred to a Select Committee consisting of Messrs. Sankara Pillai, Udaya Varma Raja and the Mover, to report within two months.

The motion was put and agreed to.

THE FACTORIES BILL.

Mr. Sankara Menon.—I beg to present the report of the Select Committee on the Factories Bill and request that it may be taken into consideration.

Section 2.

Mr. Udaya Varma Raja.—I beg to propose that in Section 2, sub-section (1), the words "for not less than four months in any one year" be inserted between the words "carried on" and "any process" in the definition of 'factory'.

Sir, there is nothing new in the proposition I have now placed before the Council. This is only a qualification or limitation that occurs in the British Indian Act. The learned Mover of the Bill had also the goodness to adopt it in his draft Bill. I am only sorry that the Select Committee have, in considering the Bill, simply taken away this wholesome concession without assigning a single reason or adding a word of explanation. They have recommended the exclusion of certain classes of factories from the purview of the Bill. If indigo factories and premises used only for the purpose of tea or coffee plantation are excluded, I do not see the reason why ginning factories and such others as work for less than four months should not be excluded. Again in clause (*b*) of this Section, we find that the number of hands that may be simultaneously employed in any manual labour in any factory is ordinarily fixed at fifty. Evidently this is a concession granted to owners of mills. If a margin like this can be allowed for the employment of labourers in factories, it is nothing but just that some consideration is made in the case of short-termed factories.

Mr. Sankara Menon.—There is no doubt that, under Section 2 of the Indian Factories Act, all factories which work for 'less than four months on the whole in any one year' are excluded from its operation. The question whether this exclusion should be maintained in the new Factories Act has been considered at some length by the Factories Commission appointed by the Government of India last year. The Commission after a careful consideration of the question has reported to the Indian Government that there should be no exclusion of the sort suggested. Their reasons are exhaustively given in paras 78 and 79 of the Report. I may also add that the Government of India, after consulting with the various local Governments, came to the same conclusion in 1905. "It is sufficient to say," as the Commission observes, "that the present limitation is indefinite and difficult to work in practice; that it excludes from all control a class of factories where abuses are peculiarly liable to occur (the Commissioners refer to cotton ginning factories which are usually constructed on the cheapest lines) and that our investigations enable us to say positively that the withdrawal of this limitation will inflict no appreciable hardship upon any industry."

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